FORM PTO-1390 (Modified)
(REV 10-95)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

10/009138

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/IB97/00887	17 July 1997	25 July 1996

TITLE OF INVENTION

A FLEXIBLE ANNULAR STAPLER FOR CLOSED SURGERY of HOLLOW ORGANS

NOV 2 6 2001

APPLICANT(S) FOR DO/EO/US
AVIV TOLEDANO

16800 U.S. PTO 10/009138

112601

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.

2. ☒ This is a **SECOND or SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.

3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).

4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.

5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))

    a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).

    b. ☒ has been transmitted by the International Bureau.

    c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).

6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).

7. ☐ A copy of the International Search Report (PCT/ISA/210).

8. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))

    a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).

    b. ☐ have been transmitted by the International Bureau.

    c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.

    d. ☐ have not been made and will not be made.

9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).

10. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).

11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).

12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 18 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.

14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

15. ☒ A FIRST preliminary amendment.

    A SECOND or SUBSEQUENT preliminary amendment.

16. ☐ A substitute specification.

17. ☐ A change of power of attorney and/or address letter.

18. ☐ Certificate of Mailing by Express Mail

19. ☐ Other items or information:

PCTUS1/REV03

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20. ⟋ The following fees are submitted:.

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

	CALCULATIONS PTO USE ONLY

☐ Search Report has been prepared by the EPO or JPO . . . . $ 890.00

☒ International preliminary examination fee paid to USPTO (37 CFR 1.482)
. . . . $ 710.00

☐ No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) . . . . . . $ 740.00

☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO . . . . $ 1,040.00

☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) . . . . $ 100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

$ 710.00	

Surcharge of $130.00 for furnishing the oath or declaration later than   ☐ 20   ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).   **$ 130.00**

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	15-20 =	< 0	x $18.00	$ 0.00	
Independent claims	3-3 =	0	x $ 84.00	$ 0.00	
Multiple Dependent Claims (check if applicable).			☐	$0.00	

TOTAL OF ABOVE CALCULATIONS	=	$ 840.00

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable).   ☒   **$ 420.00**

SUBTOTAL	=	$ 420.00

Processing fee of $130.00 for furnishing the English translation later than   ☐ 20   ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).   + $0.00

TOTAL NATIONAL FEE	=	$ 420.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).   ☐ $0.00

TOTAL FEES ENCLOSED	=	$ 420.00
	Amount to be: refunded	$
	charged	$

☒ Payment of the amount of $ 420 by money-order. Copy of the mandater receipt is attached.

☐ Please charge my Deposit Account No.   in the amount of   to cover the above fees.
A duplicate copy of this sheet is enclosed.

☐ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment
to Deposit Account No.   A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

TOLEDANO Haviv
C/O METZMAN David
693 Downing Street
Teaneck - NJ 07666

SIGNATURE

Haviv Toledano   (Applicant/Inventor)
NAME

November 10, 2001
DATE